

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:09CV699

RALEIGH FLEX OWNER I, LLC,	)	
a Delaware limited liability company,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
MARKETSMART INTERACTIVE, INC.,	)	
a North Carolina Corporation,	)	
and MARKETSMART ADVERTISING, INC.,	)	
a North Carolina Corporation, and	)	
INUVO, INC., (a Nevada Corporation)	)	
f/k/a INUVO, INC., (a Nevada	)	
Corporation) f/a/a THINKPARTNERSHIP,	)	
INC., (a Nevada Corporation),	)	
	)	
Defendants.	)	

**ORDER OF DISMISSAL WITH PREJUDICE AND WITHOUT COSTS**

This matter having come before the Court after the parties advised the Court that the matter was settled and for the purpose of dismissing the above captioned action in its entirety and with prejudice and without costs or attorneys' fees to any party; and the Court being otherwise fully advised in the premises.

NOW, THEREFORE, IT IS HEREBY ORDERED that the claims brought by Raleigh Flex Owner I, LLC against Defendants MarketSmart Interactive, Inc., MarketSmart Advertising, Inc. and Inuvo, Inc. are hereby dismissed with prejudice and without costs to any of the parties with the Court reserving jurisdiction to enforce the parties' settlement agreement.

IT IS FURTHER ORDERED that Plaintiff Raleigh Flex Owner I, LLC and

Defendant MarketSmart Interactive, Inc., MarketSmart Advertising, Inc. and Inuvo, Inc. will each bear their own attorney fees and costs.

This the 6<sup>th</sup> day of May, 2011.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge